

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

STATE OF TEXAS, STATE OF	§	
LOUISIANA, STATE OF MISSISSIPPI,	§	
STATE OF UTAH, JEFFREY W.	§	
TORMEY, GUN OWNERS OF	§	
AMERICA, INC., GUN OWNERS	§	CIVIL ACTION No. 2:24-cv-00089-Z
FOUNDATION, TENNESSEE	§	
FIREARMS ASSOCIATION, and	§	
VIRGINIA CITIZENS DEFENSE	§	
LEAGUE,	§	
<i>Plaintiffs,</i>	§	
v.	§	
	§	
BUREAU OF ALCOHOL, TOBACCO,	§	
FIREARMS AND EXPLOSIVES,	§	
UNITED STATES DEPARTMENT OF	§	
JUSTICE, MERRICK GARLAND, in his	§	
official capacity as Attorney General of the	§	
United States, <i>and</i> STEVEN M.	§	
DETTELBACH, in his official capacity as	§	
Director of ATF,	§	
<i>Defendants.</i>	§	

JOINT MOTION TO ENTER A SCHEDULING ORDER

COME NOW the Parties, by and through counsel of record, and file this, their Joint Motion to Enter a Scheduling Order, and would show unto the Court the following:

Plaintiffs filed their Complaint for Declaratory and Injunctive Relief on May 1, 2024. ECF #1. Plaintiffs then filed their Motion for Temporary Restraining Order and/or Preliminary Injunction on May 2, 2024. ECF #7-2. After a hearing on Plaintiffs' Motion, this Court entered its Memorandum Opinion and Order, granting in part Plaintiffs' Motion. ECF #44. After additional briefing from the Parties, this Court granted Plaintiffs' Motion for a Preliminary Injunction, enjoining the Defendants from enforcing the regulations contained in the Final Rule,

“Definition of ‘Engaged in the Business’ as a Dealer in Firearms,” against Plaintiffs only. ECF #70. Defendants filed their Notice of Appeal of that Order on July 2, 2024 (ECF #73) and subsequently filed their Answer on July 8, 2024. ECF #74.

Since that time, the Parties have conferred on an agreed scheduling order, and file the instant Motion to request that this Court enter the following dates to control the remainder of this litigation:

- Administrative record to be filed on or before September 17, 2024;
- Plaintiffs’ motion for summary judgment to be filed on or before October 22, 2024;
- Defendants’ opposition and cross-motion for summary judgment to be filed on or before November 26, 2024;
- Plaintiffs’ opposition and reply to be filed on or before December 17, 2024; and
- Defendants’ reply to be filed on or before January 7, 2025.

A Proposed Order is attached.

Respectfully submitted,

Dated: July 23, 2024

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CERTIFICATE OF CONFERENCE

I hereby certify that on July 3, 8, and 18, 2024, I conferred with Zachary Sherwood via email regarding the relief requested in this Motion and Defendants agree with the relief requested herein.

CERTIFICATE OF SERVICE

I Stephen D. Stamboulieh, hereby certify that I have on this day, caused the foregoing document or pleading to be filed with this Court's CM/ECF system, which caused a Notice of Electronic Filing and copy of this document or pleading to be delivered to all counsel of record.

/s/ Stephen D. Stamboulieh
Stephen D. Stamboulieh